

### REMARKS

This paper is submitted in reply to the Examiner's Answer dated January 12, 2005, within the two-month period for response. Reconsideration and allowance of all pending claims are respectfully requested. Moreover, as this paper is being filed after receipt of an Examiner's Answer containing a new grounds for rejection, Applicants respectfully request reopening of prosecution pursuant to 37 CFR §41.39(b)(1).

In the subject Examiner's Answer, claims 54-63 and 104-112 were newly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,613,012 to Hoffman et al. in view of U.S. Patent No. 5,983,200 to Slotznick et al.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Applicants also wish to note for the record that this rejection is now the sixth separate rejection of the claims, as well as the second new rejection entered in the course of an appeal (*see* MPEP §707.07(g), which cautions against piecemeal examination).

In this paper, Applicants have amended claims 54, 60 and 61 and added new claims 113-116. Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Now turning to the Examiner's rejections, and specifically to the rejection of claim 54, this claim recites a method of identifying an unknown party interacting with an intelligent agent, wherein the method includes the steps of determining at least one attribute related to the unknown party, comparing the attribute for the unknown party with attributes related to a plurality of known parties, and identifying the unknown party as the known party having the attribute which most closely matches that of the unknown party. Claim 54 has also been amended herein to clarify that the unknown party is a party other than a client that has delegated at least one task to the intelligent agent. Support for this amendment may be found, for example, at page 3, lines 13-16 of the Application.

As noted above, claim 54 was rejected as being obvious in view of Hoffman and Slotznick. In the Examiner's current and prior rejections, the Examiner has

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acknowledged that Hoffman fails to disclose the identification of an unknown party interacting with an intelligent agent. The Examiner now relies on Slotznick for allegedly disclosing this feature.

Slotznick, however, is merely directed to an intelligent agent that is described as serving more or less as an "executive assistant" that executes delegated tasks on behalf of a user. Of note, the only functionality that is even arguably analogous to identifying an unknown party is a login or authorization procedure that must be followed by a client before delegating tasks to the Slotznick intelligent agent. *See, e.g.*, col. 16, line 65 to col. 17, line 34 of Slotznick, which describes a login or authorization procedure by which a user provides a user ID and password, or alternatively, provides other identification information, such as biometric information, to obtain access to the intelligent agent.

It is important to note, however, that the login procedure described in Slotznick is essentially used by the client or principal of the intelligent agent in order to program the intelligent agent to perform desired tasks on behalf of that client.

Claim 54, on the other hand, is directed to identifying an unknown party that is interacting with an intelligent agent, but where the unknown party being identified is a party other than a client that has delegated a task to the intelligent agent.

The fact that the identification is of a party other than a client that has delegated a task to the intelligent agent represents a non-obvious distinction from Slotznick and the other prior art of record. As Applicants have noted previously, Applicants' invention addresses a specific risk that arises with intelligent agents as a result of such intelligent agents operating with delegated autonomy, particularly when operating in uncontrolled or untrusted environments. Specifically, in such circumstances, intelligent agents very well may be subjected to an increased risk from malicious parties who may attempt to deceive or otherwise take advantage of an intelligent agent. Thus, by attempting to identify unknown parties with which intelligent agents are interacting, embodiments consistent with the invention potentially enable intelligent agents to modify their behavior so as to minimize the risk posed by a party with which they are interacting.

Slotznick, which merely discloses an authorization procedure used to allow a client access to an intelligent agent for the purpose of delegating tasks to that agent, does not disclose or suggest the identification of parties other than one attempting to delegate tasks to the agent. Similarly, Hoffman, which is effectively directed to a form of login or authorization procedure that relies on biometrics, likewise fails to disclose or suggest this feature of claim 54. Applicants therefore respectfully submit that the combination of Hoffman and Slotznick fails to disclose or suggest each and every feature of claim 54, and therefore claim 54 is non-obvious over the combination of these references. Reconsideration and allowance of claim 54, and of claims 55-59 which depend therefrom, are therefore respectfully requested.

Next, with respect to independent claims 60 and 61, each of these claims has been amended in a similar manner to claim 54 to clarify that an unknown party being identified is other than a client that has delegated at least one task to the intelligent agent. Therefore, Applicants respectfully submit that claims 60 and 61 are patentable over the prior art for the same reasons as presented above for claim 54. Reconsideration and allowance of these claims, and of claims 62-63 and 104-112 which depend therefrom, are therefore respectfully requested.

Next, the Examiner will note that Applicants have added new claims 113-116, with claims 113 and 114 being independent. Claim 113 is based upon claim 54, and additionally recites that the unknown party being identified is a second intelligent agent interacting with the first intelligent agent, support for which may be found in claim 58 as filed. As noted above in connection with claim 54, Slotznick merely discloses a login or authorization procedure for a user wishing to delegate a task to an intelligent agent, and Applicants respectfully submit that this disclosure fails to suggest the identification of an unknown intelligent agent with which another intelligent agent is interacting. Likewise, Hoffman does not even disclose the identification of a party interacting with an intelligent agent, and as such, claim 113 is non-obvious over the combination of Hoffman and Slotznick. Consideration and allowance of claim 113 are therefore respectfully requested.

Claim 114 is also based upon claim 54, and additionally recites the step of controlling a behavior of the intelligent agent when interacting with the unknown party based upon the identification of the unknown party. Claim 115 depends from claim 114, and additionally recites that controlling the behavior of the intelligent agent includes controlling a negotiation strategy used by the intelligent agent when conducting an electronic transaction with the unknown party. Claim 116 also depends from claim 114 and additionally recites that identifying the unknown party includes identifying the unknown party as being untrustworthy, and that controlling the behavior of the intelligent agent includes modifying the behavior of the intelligent agent to account for increased risk posed by the unknown party and continuing to interact with the unknown party using the modified behavior. Support for these claims may be found, for example, at page 42 of the Application as filed.

Slotznick merely discloses a login or authorization procedure for a user wishing to delegate a task to an intelligent agent, and Applicants respectfully submit that this disclosure fails to suggest controlling the behavior of an intelligent agent when interacting with an unknown party, much less doing so either in a negotiation context or so as to account for increased risk. Hoffman does not even disclose the identification of a party interacting with an intelligent agent, and as such, each of claims 114-116 is non-obvious over the combination of Hoffman and Slotznick. Consideration and allowance of claims 114-116 are therefore respectfully requested.

As a final matter, Applicants have not separately argued the other pending dependent claims in the interest of prosecutorial economy. However, Applicants maintain the traversals of the Examiner's rejections of these claims based upon the arguments submitted previously.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits

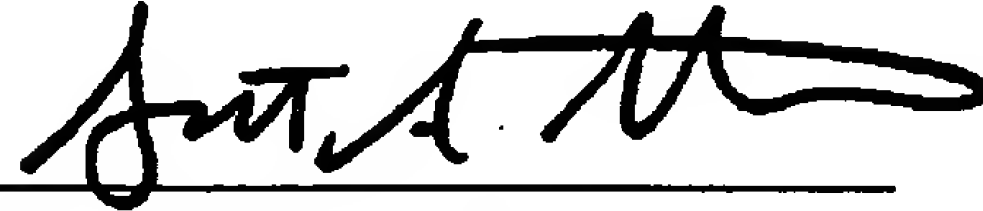
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are necessary to complete this communication, please apply them to Deposit Account 23-3000.

11 MAR 2005

Date

Respectfully submitted,



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